

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:  BAYOU STEEL BD HOLDINGS, LLC, <i>et al.</i> , <sup>1</sup>  Debtors.	Chapter 7  Case No. 19-12153 (KBO)  (Jointly Administered)
GEORGE L. MILLER, in his capacity as Chapter 7 Trustee of BAYOU STEEL BD HOLDINGS, L.L.C., <i>et al.</i> ,  Plaintiff,  vs.  M.A.R.S., INC. dba MODERN AMERICAN RECYCLING SERVICES,  Defendant.	Adv. Proc. No. 21-50215 (KBO)

**CERTIFICATION OF COUNSEL REQUESTING ENTRY OF ORDER APPROVING  
STIPULATION REGARDING APPOINTMENT OF MEDIATOR**

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The undersigned hereby certifies as follows:

1. On March 3, 2021, George L. Miller, appointed as the chapter 7 trustee (the “Trustee”) of the Debtors’ bankruptcy estates, filed the *Complaint for Avoidance and Recovery of Preferential Transfers Pursuant to 11 U.S.C. §§ 547 & 550* (the “Complaint”) with the U.S. Bankruptcy Court for the District of Delaware (the “Court”) against defendant M.A.R.S., Inc. dba Modern American Recycling Services (the “Defendant,” and together with Plaintiff, the “Parties”).

2. Following agreed extensions, on May 28, 2021, Defendant filed its Answer.

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<sup>1</sup> The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, are Bayou Steel BD Holdings, L.L.C., a Delaware limited liability company (1984), BD Bayou Steel Investment, LLC, a Delaware limited liability company (1222), and BD LaPlace, LLC, a Delaware limited liability company (5783).

3. The Parties have agreed and entered into a stipulation, subject to this Court's approval, to engage in mediation before the scheduling of a Rule 16 scheduling conference and submission of a scheduling order. The Parties believe this approach will maximize efficiency and reduce costs for both Parties.

4. Attached hereto as **Exhibit A** is a proposed form of order approving the stipulation. The proposed form of order includes certain deadlines if mediation is not successful so that the Parties will then move forward without delay to schedule a Rule 16 scheduling conference and submitting a proposed scheduling order. The stipulation is attached as Exhibit 1 to the proposed form of order.

5. Accordingly, the Parties request that this Court enter the proposed form of order.

Dated: August 17, 2021

PACHULSKI STANG ZIEHL & JONES LLP

/s/ Peter J. Keane

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